

REMARKS

Original claims 1-11 are pending in the above-referenced patent application. Claims 1-9 have been amended. New claims 12-18 have been added. No new matter has been added by the foregoing amendments.

Claim rejections - 35 USC §102(e)

Claims 1, 3, 4, 6, 7, 9 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Watanabe (US Patent No. 6,522,356). The Assignee respectfully submits Watanabe does not anticipate the rejected claims.

Specifically, claim 1, recites "creating an image utilizing said pixel signals from said one or more photocells of one said linear image sensor, without utilizing said pixel signals from said other linear image sensor," whereas Watanabe does not teach or suggest "creating an image utilizing said pixel signals from said one or more photocells of one said linear image sensor, without utilizing said pixel signals from said other linear image sensor." The Examiner is kindly reminded that:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. MPEP § 2131.01. Furthermore, the identical invention must be shown in as complete detail as in the . . . claim. MPEP § 2131.01.

Since Watanabe does not teach or suggest "creating an image utilizing said pixel signals from said one or more photocells of one said linear image sensor, without utilizing said pixel signals from said other linear image sensor," Watanabe does not contain each and every element of rejected independent claim 1 and, therefore, does not anticipate independent claim 1 and dependent claims 2-5. Watanabe does not show reading out or outputting a video signal excluding some rows of staggered sensors.

The Assignee respectfully submits in light of the foregoing that independent claim 1 is allowable over Watanabe. Because claims 2-5 depend from allowable claim 1, the Assignee submits they are also allowable. Assignee respectfully submits claims 1-5 are allowable, and respectfully requests they be allowed.

Regarding independent claim 6, claim 6 recites "outputting said video output comprising said first consecutive video signal or said second consecutive video signal," whereas Watanabe does not teach or suggest "outputting said video output comprising said first consecutive video signal or said second consecutive video signal." Watanabe does not show reading out or outputting a video signal excluding some rows of staggered sensors. Since Watanabe does not teach or suggest "outputting said video output comprising said first consecutive video signal or said second consecutive video signal," Watanabe does not contain each and every element of rejected independent claim 6 and, therefore, does not anticipate independent claim 6 and dependent claims 7-11.

The Assignee respectfully submits in light of the foregoing that independent claim 6 is allowable over Watanabe. Because claims 7-11 depend from allowable claim 6, the Assignee submits they are also allowable. Assignee respectfully submits claims 6-11 are allowable, and respectfully requests they be allowed.

Claim rejections - 35 USC §103(a)

Claims 2, 5, 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe ('356) in view of Inuiya (US Patent No. 5,982,984). It is respectfully submitted that the Examiner has not established a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness, three basic criteria must be met. MPEP §2142 and §2143. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on the Assignee's application. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). The initial burden is on the Examiner to provide some suggestion of the desirability of doing what it is the inventor has done. "To support the conclusion the claimed invention is directed to obvious subject matter, either the references expressly or implicitly suggest the claimed invention or the examiner must present a

convincing line of reasoning as to why an artisan would have found the claimed invention to have been obvious in light of the teachings of the references." Ex parte Clapp, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

Regarding amended claim 1, which claims 2 and 5 depend from, Watanabe does not suggest or teach the limitation of "reading out said pixel signals from said consecutive photocells of one said linear image sensor, without inserting said pixel signals from said other linear image sensor" as required in claim 1 of the present application. This deficiency is not cured by the addition of Inuiya. Inuiya similarly does not teach or suggest the limitation of "reading out said pixel signals from said consecutive photocells of one said linear image sensor, without inserting said pixel signals from said other linear image sensor." Neither Watanabe nor Inuiya show reading out or outputting a video signal excluding some rows of staggered sensors.

For at least these reasons, the Assignee respectfully submits that the Examiner has not made a *prima facie* case of obviousness. The Assignee respectfully submits independent claim 1 is allowable over Watanabe in view of Inuiya. Because dependant claim 2 and 5 depend from allowable claim 1, the Assignee submits they are also allowable.

Regarding amended claim 6, from which claims 8 and 11 depend from, Watanabe does not suggest or teach the limitation of "outputting said video output comprising said first consecutive video signal or said second consecutive video signal" as required in claim 6 of the present application. This deficiency is not cured by the addition of Inuiya. Inuiya similarly does not teach or suggest the limitation of "outputting said video output comprising said first consecutive video signal or said second consecutive video signal." Neither Watanabe nor Inuiya show reading out or outputting a video signal excluding some rows of staggered sensors.

For at least these reasons, the Assignee respectfully submits that the Examiner has not made a *prima facie* case of obviousness. The Assignee respectfully submits independent claim 6 is allowable over Watanabe in view of Inuiya. Because dependant claim 8 and 11 depend from allowable claim 6, the Assignee submits they are also allowable.

Assignee respectfully submits claims 1-11 are allowable, and respectfully requests they be allowed.

New claims

New claims 12-18 have been added. New claims 12-18 contain similar limitations that are not taught or suggested by the prior art. Assignee submits no new matter has been added by the addition of these claims. Assignee respectfully submits claims 12-18 are allowable, and respectfully requests they be allowed.

Conclusion

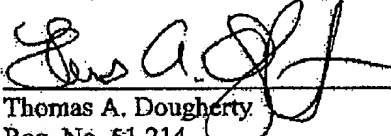
In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application are in condition for allowance. If the Examiner has any questions, she is invited to contact the undersigned at (503) 439-6500. Reconsideration of this patent application and allowance of all the claims is respectfully requested.

Please charge any shortages and credit any overages of any fees required for this submission to Deposit Account number 50-3703.

Respectfully submitted,

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